

1 **SKAPIK LAW GROUP**

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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

10 DAMON “DAVID” WOOD, an
11 individual,

12 Plaintiff,

13 vs.

14 CITY OF SAN BERNARDINO, a
15 municipal corporation; OFFICER
16 RUTHERFORD, an individual; OFFICER
17 TUBBS, an individual; OFFICER
KOEHN, an individual; OFFICER OH, an
individual; and DOES 5-10, inclusive,

18 Defendants.

19 Case No. 5:23-cv-00925 JAK (ASx
[District Judge John A. Kronstadt]
[Magistrate Judge Alka Sagar]

20 **NOTICE OF CONDITIONAL
SETTLEMENT AND STIPULATION
TO VACATE ALL DATES AND
DEADLINES**

21 **TO THE HONORABLE COURT:**

22 PLEASE TAKE NOTICE in accordance with L.R. 16-15.7 and L.R. 40-2 that the
23 parties have reached a settlement of this entire case for a specified amount. The
24 settlement is between Plaintiff DAVID “DAMON” WOOD, by and through his
25 undersigned counsel, and Defendants CITY OF SAN BERNARDINO, OFFICER
26 RUTHERFORD, OFFICER TUBBS, OFFICER KOEHN, and OFFICER OH
27 (collectively, “DEFENDANTS”) and is conditioned only upon final approval of the
settlement by the San Bernardino City Council.

Upon finalization of the settlement, the entire remaining case and the remaining Defendants shall be dismissed with prejudice.¹ Finalization is expected to occur within 120 days. The parties intend to file a Stipulation for Dismissal of the Complaint with Prejudice within 10 days of receipt of the settlement funds.

Thus, the parties request and hereby stipulate that all hearing dates and deadlines be vacated and that all proceedings be stayed pending finalization of the settlement. Further, the parties request an order that by March 31, 2025, the parties shall file either (1) a stipulation and order for dismissal, or (2) a joint status report regarding settlement.

SKAPIK LAW GROUP

Dated: November 21, 2024

By: /s/ Matthew T. Falkenstein
Mark J. Skapik
Blair J. Berkley
Matthew T. Falkenstein²
Attorneys for Plaintiff
DAMON "DAVID" WOO

Dated: November 21, 2024

LAWRENCE BEACH ALLEN & CHOI, PC

By: /s/ Aamir Raza
Paul B. Beach
Aamir Raza
Attorneys for Defendant
CITY OF SAN BERNARDINO

¹ Prior Defendants County of San Bernardino, Shannon D. Dicus, Robert Trostle, and Gerald Davenport have been dismissed previously. Dkt. No. 62.

² I, Matthew T. Falkenstein, hereby attest that all other signatories listed below, and on whose behalf this filing is submitted, concur in this filing's content and have authorized the filing.